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TO RUEHC/SECSTATE WASHDC PRIORITY 7245
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE PRIORITY
RUCNDT/USMISSION USUN NEW YORK PRIORITY 4578

UNCLAS SECTION 01 OF 02 TBILISI 001980

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TAGS: [PREL](#) [PGOV](#) [GG](#)

SUBJECT: GEORGIA CONDEMNS UNOFFICIAL JPKF CHECKPOINTS IN
ABKHAZ ZOC

1. On August 3, Post received two diplomatic notes from State Minister for Conflict Resolution, Davit Bakradze, addressed to Special Representative of the Secretary General (SRSG) Jean Arnault and United Nations Observer Mission to Georgia (UNOMIG) Chief Military Observer General Niaz Khattak. The two letters are identical except for an additional paragraph in the Khattak letter noting the absence JPKF violations from the July 18 report of the UN Secretary General. Copies were sent to members of the Group of Friends of the Secretary General.

Begin Text:

Dear Mr. Arnault,

I would like to bring to your attention another fact of gross violation of mandate by the CIS PKF. On 25th July 2007, a member of my staff was driving to the observation station Nr. 107 of the JPKF when he was stopped at the checkpoint, which is arbitrarily set up a few kilometers away from the station. The mentioned checkpoint turned out to be an observer point Nr. 107a. Existence of such a station is not known to the respective bodies of the Georgian state.

Such an approach of the JPKF is unacceptable for the Georgian government. These actions - arbitrary establishment of observation stations, disturbance of work of local administration, ignorance toward legislation of the host state and prevention of freedom of movement of local population - are against the mandate of the JPKF and presents yet another violation of the decisions adopted by summits of the Heads of CIS countries. We are urging you to take all necessary and immediate actions in order to abolish this particular illegal observation point. Otherwise the Government of Georgia reserves the right to apply appropriate state legislation and will initiate actions to prevent pickets and ensure freedom of movement for the citizens of Georgia prevented by police forces.

Additionally, we are seeking for your response on the current situation with regard to reverting the check points 310 (Khurcha) and 302 (Khudoni) of the CIS JPKF to the previous existing regime. Despite several inquiries to your office, we don't know your response. Besides, your decision concerning the participation of your representative in the process of solving disputable issues concerning deployment of check-points of the JPKF is also unknown to us. Letters with such request have already been sent to you on several occasions (Nr. 4-6/416 from 16.07.2007; Nr. 4-6/419 from 16.07.2007; Nr. 4-6/404 from 09.07.2007; Nr. 4-6/415 from 16.07.2007; Nr. 4-6/416 from 16.07.2007; Nr. 4-6/419 from 16.07.2007; Nr. 4-6/448 from 23.07.2007; Nr. 4-6/449 from 23.07.2007).

We are urging you to take appropriate actions to deliver the

comprehensive information on the JPKF unlawful actions in Abkhazia, Georgia to the Headquarters of the United Nations in New York.

I use this opportunity to reiterate my respect and appreciation of your mission.

Yours sincerely,

Davit Bakradze

End Text.

Begin Second Text:

Dear General,

I would like to bring to your attention another fact of gross violation of mandate by the CIS PKF. On 25th July 2007, a member of my staff was driving to the observation station Nr. 107 of the JPKF when he was stopped at the checkpoint, which is arbitrarily set up a few kilometers away from the station. The mentioned checkpoint turned out to be an observer point Nr. 107a. Existence of such a station is not known to the respective bodies of the Georgian state.

Such an approach of the JPKF is unacceptable for the Georgian government. These actions - arbitrary establishment of observation stations, disturbance of work of local administration, ignorance toward legislation of the host state and prevention of freedom of movement of local population - are against the mandate of the JPKF and presents yet another violation of the decisions adopted by summits of the Heads of CIS countries. We are urging you to take all necessary and immediate actions in order to abolish this

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particular illegal observation point. Otherwise the Government of Georgia reserves the right to apply appropriate state legislation and will initiate actions to prevent pickets and ensure freedom of movement for the citizens of Georgia prevented by police forces.

Additionally, we are seeking for your response on the current situation with regard to reverting the check points 310 (Khurcha) and 302 (Khudoni) of the CIS JPKF to the previous existing regime. Despite several inquiries to your office, we don't know your response. Besides, your decision concerning the participation of your representative in the process of solving disputable issues concerning deployment of check-points of the JPKF is also unknown to us. Letters with such request have already been sent to you on several occasions (Nr. 4-6/416 from 16.07.2007; Nr. 4-6/419 from 16.07.2007; Nr. 4-6/404 from 09.07.2007; Nr. 4-6/415 from 16.07.2007; Nr. 4-6/416 from 16.07.2007; Nr. 4-6/419 from 16.07.2007; Nr. 4-6/448 from 23.07.2007; Nr. 4-6/449 from 23.07.2007).

Unfortunately in the report (S/2007/439) of the Secretary General of the United Nations from 18th July 2007 is not included information on the gross violations of the responsibilities of the JPKF personnel, though we advised you of such violations in our letters sent to you (Nr. 4-6/386 from 29.03.2007; Nr. 4-6/399 from 09.07.2007; Nr. 4-6/404 from 09.07.2007; Nr. 4-6/415 from 16.07.2007; Nr. 4-6/416 from 16.07.2007; Nr. 4-6/419 from 16.07.2007; Nr. 4-6/448 from 23.07.2007; Nr. 4-6/449 from 23.07.2007).

We are urging you to take appropriate actions to deliver the comprehensive information on the JPKF unlawful actions in Abkhazia, Georgia to the Headquarters of the United Nations in New York.

I use this opportunity to reiterate my respect and appreciation for your mission.

Yours sincerely,

Davit Bakradze

End Text.

¶2. Comment: At present, there is general disagreement between the sides and in the international community as to what the proper procedure is for establishing checkpoints and observation points in the Zone of Conflict. The United Nations Observer Mission to Georgia (UNOMIG) has told us that no formal mechanism exists between the sides. The Georgians, on the other hand, strongly assert that the CIS PKF continue to violate procedures already established for CIS peacekeeping missions. This issue will likely continue to be a source of contention until the sides can reach a formal agreement. End comment.

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